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March 4, 1980

Mr. James W. Smith
Reclamation Soils Specialist
State of Utah
Div. of Oil, Gas, and Mining
1588 W. North Temple
Salt Lake City, Utah 84116

RECEIVED
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DIVISION OF
OIL, GAS & MINING

Dear Mr. Smith:

I am in receipt of a copy of a letter dated February 22, 1980 and addressed to you. The letter deals with reclamation work on a koalin deposit located on State Lease Lands near Koosharem, Utah. These lands were originally leased by Don Fullmer and sub-leased by Mr. Fullmer to Interstate Brick. The pits operated by Interstate in that area were located on both State and Federal lands.

Upon completing its operations in the area, Interstate, through its contractor, commenced reclamation work on the land. The reclamation work on the Federal Land was completed to the satisfaction of the parties concerned and Interstate was released from its bond pertaining to those lands.

At some point in the period during which Interstate was diligently pursuing reclamation work on the State Leases, Mr. Fullmer visited the site and requested that reclamation work cease. Mr. Fullmer indicated a desire to attempt to market the unmined clay remaining in the pits. For this reason he requested that the reclamation work be suspended and the clay be left exposed. Mr. Fullmer was thereafter advised that any further reclamation work would be at his sole risk and expense.

In response to paragraph 3 of Mr. Fullmer's letter, you are advised that Interstate feels it has discharged its obligations to Mr. Fullmer and the State. Interstate currently conducts no operations in the Koosharem area and to now be

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required to move equipment to the area to perform reclamation work, when Interstate was ready and willing and had equipment available at the pit to perform this work at the time of Mr. Fullmer's cease and desist request, would be unreasonably burdensome to Interstate, and prohibitively expensive.

Hence, Interstate takes issue with Mr. Fullmer's letter and denies that it has any further obligation to perform any work whatsoever, in the Koosharem area. Further work required in that area is the sole responsibility of Mr. Fullmer.

Should you have any questions with respect to this matter, will you please contact me.

Yours very truly,


Harold P. Cahoon
President & General Manager

HPC/cw

cc: Don Fullmer